

R E C E I V E D

JAN - 9 2018

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

THOMAS BIONDOLILLO, Individually  
and on behalf of all others similarly situated,

Plaintiff,

vs.

ROCHE HOLDING AG, SEVERIN  
SCHWAN and ALAN HIPPE,

Defendants.

No.: 3:17-cv-04056-AET-DEA

**JOINT STIPULATION AND  
~~[PROPOSED]~~ CONSENT ORDER**

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DOUGLAS E. ARPERT  
U.S. MAGISTRATE JUDGE

**JOINT STIPULATION AND ~~[PROPOSED]~~ CONSENT ORDER SETTING  
SCHEDULE FOR LEAD PLAINTIFF'S FILING OF AMENDED  
COMPLAINT AND DEFENDANTS' RESPONSE THERETO**

WHEREAS, on June 6, 2017, Plaintiff Thomas Biondolillo filed a class action complaint for violation of the Federal Securities Laws (the "Complaint") against Roche Holding AG ("Roche"), Severin Schwan and Alan Hippe (the "Individual Defendants," and together with Roche, "Defendants") (Dkt. No. 1);

WHEREAS, on September 22, 2017, the Court appointed Kevin Gardeck as Lead Plaintiff ("Lead Plaintiff") and approved his selection of the Rosen Law Firm, P.A. as Lead Counsel (Dkt. Nos. 10-11);

WHEREAS, Roche is a Swiss corporation with its principal offices in Basel, Switzerland, and the Individual Defendants are residents of Switzerland;

WHEREAS, on or about December 19, 2017, Defendants were served with the Complaint pursuant to the Convention on the Service of Judicial and Extrajudicial Documents in Civil Commercial Matters, signed at the Hague, the 15<sup>th</sup> of November 1965; and

WHEREAS, the parties have met and conferred and agreed on a schedule for the filing of Lead Plaintiff's forthcoming amended complaint and Defendants' response thereto;

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for Lead Plaintiff and the attorneys for Defendants as follows, and subject to Court approval, that:

1. The deadlines for Defendants to answer, move, or otherwise respond to the Complaint, to the extent that any such deadlines presently exist, are vacated.
2. Lead Plaintiff shall file an amended complaint on or before March 5, 2018.
3. Defendants shall move, answer, or otherwise respond to the amended complaint on or before April 20, 2018.
4. In the event Defendants file a motion to dismiss the amended complaint, Lead Plaintiff shall file papers in opposition to the motion on or before June 4, 2018, and Defendants shall file reply papers on or before July 3, 2018.

5. Nothing in this stipulation constitutes a waiver of any defenses, and all such defenses are expressly reserved.

6. This stipulation may be executed in counterparts and by facsimile signatures.

7. Nothing in this stipulation is intended to curtail the rights under the Federal Rules that might otherwise exist absent this agreement.

DATED January 5, 2018

THE ROSEN LAW FIRM, P.A.

/s/Laurence M. Rosen

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-and-

Sara Fuks  
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*Lead Counsel for Lead Plaintiff*

GIBBONS P.C.

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*Counsel for Defendants Roche Holding AG,  
Severin Schwan and Alan Hippe*

SO ORDERED:

This 9<sup>th</sup> day of January 2018.

  
HON. ANNE E. THOMPSON  
United States District Judge  
Douglas E. Apert, U.S. J.